

court proceedings. I have no objection to such, and I only want to continue holding court in Sherman, Texas. Agreements have been made to hold 50 percent of the cases in Plano and 50 percent in Sherman, adding some counties to the Sherman district. I only want this agreement to be part of the proceedings, and I will be asking for a colloquy in a little bit with the gentleman from Wisconsin (Chairman SENSENBRENNER). I have conferred with Judge McGraw of Grayson County. I have received petitions from Judge McGraw and many of the major cities in and around Grayson County. I represent them. If I do not represent them, they will not be represented in this matter, and I want to be recorded here and now that we want an agreement of a 50-50 division of litigation to be committed to writing, both here and in the Senate.

I have spoken with Senator JOHN CORNYN then of the Committee on the Judiciary, and I have spoken with Senator KAY BAILEY HUTCHISON, subcommittee chairman, and they too want this documentation. There has been a difference of opinion as to whether or not it would be codified into the statute itself, and while this will not have that codification, there will be report language that will be with this bill, and I think will be evidence to people within the next 10, 15, 20, 30, 40 years that we still want a court in Sherman, Texas in Grayson County.

Senator KAY BAILEY HUTCHISON and JOHN CORNYN want Grayson County protected on the 50-50 agreement and, accordingly, they are placing proper report language in the Senate Committee on the Judiciary report to be placed with the passage of Senate bill 1720.

So Mr. Speaker, first, let me place in the RECORD the statement of the gentleman from Michigan (Mr. CONYERS), the ranking member on the Committee on the Judiciary.

I also want to engage in a colloquy with my colleague, the gentleman from Wisconsin (Chairman SENSENBRENNER). I again thank the chairman on S. 1720, a bill to provide for the Federal court proceedings in Plano, Texas.

It is my understanding that we have reached an agreement with Members on both sides of the aisle and with Senators CORNYN and HUTCHISON that the passage of this legislation shall be accompanied by the following report language in the Commerce, Justice, State Appropriations bill that would indicate a sense of Congress as follows: "Both Sherman and Plano shall have a resident United States District Judge. Fifty percent of the cases filed in or transferred to the Sherman Division of the United States District Court for the Eastern District of Texas shall be assigned for trial and tried in Sherman by either the resident United States District Judge sitting in Sherman or another United States District Judge assigned to hold court in Sherman. The remaining 50 percent of the cases shall

be assigned for trial and tried in Plano by either the resident United States District Judge sitting in Plano or another United States District Judge assigned to hold court in Plano. If the resident judge in Sherman or Plano retires or dies, 50 percent of the cases shall continue to be tried in Sherman and 50 percent tried in Plano while a new resident judge is being assigned. This provision shall not prevent the transfer of a case to another judge or division of the United States District Court for the Eastern District of Texas or another United States District Court for trial, if such transfer is permitted by applicable law."

Mr. Speaker, I have long expressed my support and I have no objection to a Plano district court. The people in Plano are entitled to a court and, likewise, the people of Sherman are entitled to an assurance that an addition of a Plano court will not diminish or otherwise imperil the court in Sherman. The folks in Plano are happy with the gentleman from Texas (Mr. SAM JOHNSON), and they should be. I want the people in Grayson County to be happy with this transaction also. I think this report language gives clarity to this amendment and would ensure the viability of both courts for the next 50 years.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, the Committee on the Judiciary has no control over report language of bills that are under the jurisdiction of the Committee on Appropriations, and since the thought has been to have this statutory amendment placed in the Commerce, Justice, State Appropriation bill, I can say that the Committee on the Judiciary would have no objection to this, because this codifies the agreement that has been made and the resolution that has been adopted by the judges of the Eastern District of Texas, as well as confirmed by the Administrative Office of the U.S. Courts representing the Judicial Conference of the United States.

So I have no objection to this statutory amendment if it should find its way into an appropriation bill. But the gentleman from Texas and everybody else knows full well that what happens in appropriation bills at the end of a session of Congress is a very mysterious thing that those of us who serve on authorizing committees will never understand as long as we are here.

But rest assured that what the gentleman from Texas has said does represent the understanding of members of the Committee on the Judiciary, and if the appropriators will listen to us, for once, they will be able to make a constructive addition to an appropriation bill, whether it is the State, Justice, Commerce one or another one that mysteriously arises from the bowels of the Capitol within the next few days.

Mr. HALL. Mr. Speaker, reclaiming my time, we have Senator CORNYN and Senator HUTCHISON who will place this in the report language in the Senate judiciary bill.

Mr. CONYERS. Mr. Speaker, I rise in support of this legislation, which would provide greater access to Federal courts for litigants in various counties in Texas. One provision of the bill adds the city of Plano as a place of holding court; current residents of Plano must travel to the city of Sherman. It is my understanding that, with respect to the courthouses in Plano and Sherman, the courts will ensure that the civil and criminal dockets will be divided equally.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I am happy to yield back the balance of my time as well.

The SPEAKER pro tempore (Mr. SWEENEY). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 1720.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### ENVIRONMENTAL POLICY AND CONFLICT RESOLUTION ADVANCEMENT ACT OF 2003

Mr. GREENWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 421) to reauthorize the United States Institute for Environmental Conflict Resolution, and for other purposes.

The Clerk read as follows:

H.R. 421

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Policy and Conflict Resolution Advancement Act of 2003".

#### SEC. 2. ENVIRONMENTAL DISPUTE RESOLUTION FUND.

Section 13 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5609) is amended by striking subsection (b) and inserting the following:

"(b) ENVIRONMENTAL DISPUTE RESOLUTION FUND.—There is authorized to be appropriated to the Environmental Dispute Resolution Fund established by section 10 \$4,000,000 for each of fiscal years 2004 through 2008, of which—

"(1) \$3,000,000 shall be used to pay operations costs (including not more than \$1,000 for official reception and representation expenses); and

"(2) \$1,000,000 shall be used for grants or other appropriate arrangements to pay the costs of services provided in a neutral manner relating to, and to support the participation of non-Federal entities (such as State and local governments, tribal governments, nongovernmental organizations, and individuals) in, environmental conflict resolution proceedings involving Federal agencies."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Pennsylvania (Mr. GREENWOOD) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GREENWOOD).

GENERAL LEAVE

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 421.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GREENWOOD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that we are here today to consider H.R. 421, the Environmental Policy and Conflict Resolution Advancement Act of 2003. H.R. 421 amends the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Policy Act of 1992 to reauthorize the Environmental Dispute Resolution Fund.

Specifically, the bill authorizes the fund at \$4 million and extends it through fiscal year 2008. The bill also stipulates how the funding is to be distributed: \$3 million to pay for the operating costs of the Institute for Environmental Conflict Resolution, and \$1 million for grants to encourage participation of non-Federal entities in Federal environmental disputes.

In 1998 the Institute for Environmental Conflict Resolution was established as part of the National Environmental Foundation. The Foundation administers the Environmental Dispute Resolution Fund. The institute was created to assist in the resolution of Federal environmental, natural resources, and public lands conflicts and controversies through facilitated negotiation, mediation, and collaborative problem-solving. The Environmental Dispute Resolution Fund is maintained separately from the Udall Trust Fund and provides the financial support for the operation of the institute.

I want to thank my distinguished colleague, the gentleman from Arizona (Mr. KOLBE), for introducing this legislation and for ensuring that it was brought before us today. I want also to urge my colleagues to join me in support of H.R. 421, the Environmental Policy and Conflict Resolution Advancement Act of 2003.

Mr. Speaker, I reserve the balance of my time.

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I rise in strong support of this bill which was introduced by our colleague and my good friend, the gentleman from Arizona (Mr. KOLBE). As a cosponsor of the bill, I want to thank the

Committee on Resources chairman, the gentleman from California (Mr. POMBO) and the ranking member, the gentleman from West Virginia (Mr. RAHALL), as well as the Committee on Education and the Workforce chairman, the gentleman from Ohio (Mr. BOEHNER) and the ranking member, the gentleman from California (Mr. GEORGE MILLER), for making it possible for the House to consider the bill today.

As my colleague, the gentleman from Pennsylvania (Mr. GREENWOOD) has explained, the bill would reauthorize the United States Institute for Environmental Conflict Resolution. The institute is part of the Morris K. Udall Foundation, which is located at the University of Arizona in Tucson. Its purpose is to provide mediation and facilitation to help resolve environmental conflicts.

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The bill would authorize appropriation of \$4 million annually for the institute's work in fiscal years 2004 through 2008. The institute's projects involve a wide range of environmental natural resource and public lands issues. It provides impartial, non-partisan expertise and services to all parties involved, and works with private individuals and organizations as well as with Federal, State, local agencies and Indian tribes.

Over the past 5 years, it has had requests for assistance in more than 100 cases across 30 States. And there is every indication that the number of requests will increase in the years ahead.

In short, Mr. Speaker, this is a non-controversial bill that will reauthorize an important program that aims at resolving conflicts and reducing the need for litigation. I urge its approval.

Again, I want to thank the leaders of the Committee on Resources and the Committee on Education and the Workforce for bringing this important bill forward.

Mr. Speaker, I reserve the balance of my time.

Mr. GREENWOOD. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. KOLBE), the author of the legislation.

Mr. KOLBE. Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. GREENWOOD) for managing this bill on the floor this afternoon and the Committee on Education and the Workforce for bringing this bill forward, also the Committee on Resources represented today by the gentleman from Colorado (Mr. UDALL) on the minority side. Both have worked to bring this bill to the floor, and I thank them for the support they have given to this.

I do rise in support of H.R. 421, Environmental Policy and Conflict Resolution Advancement Act of 2003. The bill has been explained by both the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from Colorado (Mr. UDALL); and I will not go into more detail except to say that, of

course, it does reauthorize for a period of years and provides funding for that same period of years for the U.S. Institute for Environmental Conflict Resolution, which is part of the Morris K. Udall Foundation.

As we all know, Morris Udall was a beloved Member of this body for many years and devoted much of his life to natural resources and to environmental issues and to environmental conflict resolution. So I can think of nothing more appropriate than this organization and this institute which works to resolve these conflicts to have it named after Morris Udall.

The institute has been around since 1998 as an impartial, nonpartisan institution which provides professional expertise and services and resources to parties that are involved in environmental disputes. It assists in resolving those environmental and natural resources issues, public lands conflicts that involve the Federal Government and other governmental agencies. And it deals with conflicts on a nationwide basis.

In 5 years of operation the institute has been involved in more than 300 conflict resolution cases and projects. The gentleman from Colorado (Mr. UDALL) referred to 100; but on an informal basis, they have been involved in at least a couple hundred more other than that. It does, as we have already heard, authorize \$4 million, \$1 million of which would be for a participation fund which would assist the stakeholders, communities' agricultural interests, resources users, tribes that are involved in environmental disputes with the Federal Government. And it would help them participate in alternative conflict resolution processes. The funds are intended to continue general services and provide assistance to the Federal and State agencies and tribal governments.

Mr. Speaker, this institute has already more than paid for itself. Literally countless numbers of disputes have been resolved in a way that have saved taxpayers millions of dollars by resolving them quickly and resolving them in a way that avoided litigation. The institute does work, and the reason it can do the work that it does is because its work is accepted by both sides, by all sides. It works in a non-partisan fashion. It works in a fashion which brings the sides together to resolve the dispute. It is a model for what we should be using to resolve environmental disputes.

Mr. Speaker, I urge the passage of this important piece of legislation.

Mr. UDALL of Colorado. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GREENWOOD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GREENWOOD) that

the House suspend the rules and pass the bill, H.R. 421.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

# FLORIDA NATIONAL FOREST LAND MANAGEMENT ACT OF 2003

Mr. PUTNAM. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 117) to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and for other purposes.

The Clerk read as follows:

S. 117

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Florida National Forest Land Management Act of 2003".

## SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(2) STATE.—The term "State" means the State of Florida.

## SEC. 3. SALE OR EXCHANGE OF LAND.

(a) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any right, title, and interest of the United States in and to the parcels of Federal land in the State described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcels of Federal land in the State referred to in subsection (a) consist of—

(1) tract A-942a, East Bay, Santa Rosa County, consisting of approximately 61 acres, and more particularly described as T. 1 S., R. 27 W., sec. 31, W½ of SW¼;

(2) tract A-942b, East Bay, Santa Rosa County, consisting of approximately 40 acres, and more particularly described as T. 1 S., R. 27 W., sec. 38;

(3) tract A-942c, Ft. Walton, Okaloosa County, located southeast of the intersection of and adjacent to State Road 86 and Mooney Road, consisting of approximately 0.59 acres, and more particularly described as T. 1 S., R. 24 W., sec. 26;

(4) tract A-942d, located southeast of Crestview, Okaloosa County, consisting of approximately 79.90 acres, and more particularly described as T. 2 N., R. 23 W., sec. 2, NW¼ NE¼ and NE¼ NW¼;

(5) tract A-943, Okaloosa County Fairgrounds, Ft. Walton, Okaloosa County, consisting of approximately 30.14 acres, and more particularly described as T. 1 S., R. 24 W., sec. 26, S½;

(6) tract A-944, City Ball Park—Ft. Walton, Okaloosa County, consisting of approximately 12.43 acres, and more particularly described as T. 1 S., R. 24 W., sec. 26, S½;

(7) tract A-945, Landfill-Golf Course Driving Range, located southeast of Crestview, Okaloosa County, consisting of approximately 40.85 acres, and more particularly described as T. 2 N., R. 23 W., sec. 4, NW¼ NE¼;

(8) tract A-959, 2 vacant lots on the north side of Micheaux Road in Bristol, Liberty County, consisting of approximately 0.5 acres, and more particularly described as T. 1 S., R. 7 W., sec. 6;

(9) tract C-3m-d, located southwest of Astor in Lake County, consisting of approximately 15.0 acres, and more particularly described as T. 15 S., R. 28 E., sec. 37;

(10) tract C-691, Lake County, consisting of the subsurface rights to approximately 40.76 acres of land, and more particularly described as T. 17 S., R. 29 E., sec. 25, SE¼ NW¼;

(11) tract C-2208b, Lake County, consisting of approximately 39.99 acres, and more particularly described as T. 17 S., R. 28 E., sec. 28, NW¼ SE¼;

(12) tract C-2209, Lake County, consisting of approximately 127.2 acres, as depicted on the map, and more particularly described as T. 17 S., R. 28 E., sec. 21, NE¼ SW¼, SE¼ NW¼, and SE¼ NE¼;

(13) tract C-2209b, Lake County, consisting of approximately 39.41 acres, and more particularly described as T. 17 S., R. 29 E., sec. 32, NE¼ SE¼;

(14) tract C-2209c, Lake County, consisting of approximately 40.09 acres, and more particularly described as T. 18 S., R. 28 E., sec. 14, SE¼ SW¼;

(15) tract C-2209d, Lake County, consisting of approximately 79.58 acres, and more particularly described as T. 18 S., R. 29 E., sec. 5, SE¼ NW¼, NE¼ SW¼;

(16) tract C-2210, government lot 1, 20 recreational residential lots, and adjacent land on Lake Kerr, Marion County, consisting of approximately 30 acres, and more particularly described as T. 13 S., R. 25 E., sec. 22;

(17) tract C-2213, located in the F.M. Arrendondo grant, East of Ocala, Marion County, and including a portion of the land located east of the western right-of-way of State Highway 19, consisting of approximately 15.0 acres, and more particularly described as T. 14 and 15 S., R. 26 E., sec. 36, 38, and 40; and

(18) all improvements on the parcels described in paragraphs (1) through (17).

(c) LEGAL DESCRIPTION MODIFICATION.—The Secretary may, for the purposes of soliciting offers for the sale or exchange of land under subsection (d), modify the descriptions of land specified in subsection (b) based on—

(1) a survey; or

(2) a determination by the Secretary that the modification would be in the best interest of the public.

(d) SOLICITATIONS OF OFFERS.—

(1) IN GENERAL.—Subject to such terms and conditions as the Secretary may prescribe, the Secretary may solicit offers for the sale or exchange of land described in subsection (b).

(2) REJECTION OF OFFERS.—The Secretary may reject any offer received under this section if the Secretary determines that the offer—

(A) is not adequate; or

(B) is not in the public interest.

(e) METHODS OF SALE.—The Secretary may sell the land described in subsection (b) at public or private sale (including at auction), in accordance with any terms, conditions, and procedures that the Secretary determines to be appropriate.

(f) BROKERS.—In any sale or exchange of land described in subsection (b), the Secretary may—

(1) use a real estate broker; and

(2) pay the real estate broker a commission in an amount that is comparable to the amounts of commission generally paid for real estate transactions in the area.

(g) CONCURRENCE OF THE SECRETARY OF THE AIR FORCE.—A parcel of land described in paragraphs (1) through (7) of subsection (b) shall not be sold or exchanged by the Secretary without the concurrence of the Secretary of the Air Force.

(h) CASH EQUALIZATION.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), if the value of non-Federal land for which Federal land is exchanged under this section is less than the value of the Federal land ex-

changed, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of the Federal land.

(i) DISPOSITION OF PROCEEDS.—

(1) IN GENERAL.—The net proceeds derived from any sale or exchange under this Act shall be deposited in the fund established by Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

(2) USE.—Amounts deposited under paragraph (1) shall be available to the Secretary for expenditure, without further appropriation, for—

(A) acquisition of land and interests in land for inclusion as units of the National Forest System in the State; and

(B) reimbursement of costs incurred by the Secretary in carrying out land sales and exchanges under this Act, including the payment of real estate broker commissions under subsection (f).

## SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—Land acquired by the United States under this Act shall be—

(1) subject to the Act of March 1, 1911 (commonly known as the "Weeks Act") (16 U.S.C. 480 et seq.); and

(2) administered in accordance with laws (including regulations) applicable to the National Forest System.

(b) APPLICABLE LAW.—The land described in section 3(b) shall not be subject to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(c) WITHDRAWAL.—Subject to valid existing rights, the land described in section 3(b) is withdrawn from location, entry, and patent under the public land laws, mining laws, and mineral leasing laws (including geothermal leasing laws).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. PUTNAM) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. PUTNAM).

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume.

(Mr. PUTNAM asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. PUTNAM. Mr. Speaker, I rise in support of Senate 117, the Florida National Forest Management Act of 2003. I commend the gentleman from Florida (Mr. MILLER), my good friend, for his leadership on this issue.

This bill allows the Secretary of Agriculture to solicit offers to sell or exchange 17 parcels of land within the National Forest system in Florida. These parcels, according to the Department of Agriculture are "isolated lands that no longer contain National Forest characteristics and are no longer manageable as National Forest system land." Many of the parcels this bill considers contain structures such as baseball fields and the Okaloosa County Fairgrounds.

The committee received letters of support from the Department of Agriculture and the concurrence of the Air Force for the sale or exchange of lands adjacent to Air Force property in Florida. All interested parties agree that this bill will improve ownership patterns, facilitate the best use of these lands, and enable the Forest Service to